

October 25, 1920—Hon. Ben H. Powell, Huntsville, Texas, member Commission of Appeals, vice Hon. S. P. Sadler, Gatesville, Texas, resigned.

December 1, 1920—Hon. D. E. Lyday, Fort Worth, Texas, Commissioner of Markets and Warehouses, vice Hon. F. C. Weinert, Seguin, Texas, resigned.

November 15, 1920—Hon. B. W. Baker, Midland, Texas, District Attorney of the Seventieth Judicial District, vice Hon. Tom T. Garrard, Jr., Midland, Texas, resigned.

January —, 1921—Hon. V. A. Collins, Dallas; R. F. Sterling, Houston; Sidney Samuels, Fort Worth; M. H. Wolfe, Dallas; Sam Sparks, Austin, members of the Industrial Commission.

Respectfully submitted,
W. P. HOBBY,
Governor.

Bills and Resolutions.

(By unanimous consent.)

By Senator Page:

S. B. No. 8, A bill to be entitled "An Act making appropriation of Nine Hundred Eighty-eight Thousand (\$988,000) Dollars to pay off and discharge One Hundred Seventy-eight (178) refunding coupon bonds of the State of Texas, dated January 1, 190 , due forty years after date, each in the sum of One Thousand (\$1,000) Dollars, bearing interest at the rate of 3 per cent (3%), payable January 1 and July 1 of each year, aggregating One Hundred and Seventy-eight Thousand (\$178,000) Dollars; also eighty-one (81) refunding coupon bonds, each in the sum of Ten Thousand (\$10,000) Dollars, dated September 1, 1910, due forty years after date, bearing 3 per cent (3%) interest, payable January 1 and July 1; said bonds aggregating Eight Hundred Ten Thousand (\$810,000) Dollars; all of which said bonds are now held by the permanent school fund of the State, and declaring an emergency."

Read the first time and referred to the Committee on State Affairs.

(Lieutenant Governor Johnson in the Chair.)

Executive Session—Time Set For.

Senator McNealus moved that the

Senate sit in executive session Friday at 11 o'clock a. m. for the purpose of considering the recess appointments made by the Governor.

The motion was adopted.

Adjournment.

On motion of Senator Dorrough the Senate, at 4:30 o'clock p. m. adjourned until 10 o'clock tomorrow morning.

SECOND DAY.

Senate Chamber,
Austin, Texas,

Wednesday, January 12, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson

The roll was called, a quorum being present, the following Senators answering to their names:

Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Rogers.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Woods.

Absent.

Bailey.	Russell.
Cousins.	Suiter.
Harp.	Wood.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dorrough.

Oath of Office Administered Senator McMillin.

The Chair announced that Senator D. S. McMillin was present and administered the constitutional oath of office to him.

Excused.

On motion of Senator McNealus, Senator Davidson was excused for

today and the balance of this week, on account of a death in his family.

On motion of Senator McNealus, Senators Bailey and Suiter were excused for yesterday and the balance of this week, on account of important business.

On motion of Senator Dorough, Senator Russell was excused for the balance of this week, on account of business.

On motion of Senator Richards, Senator Harp was excused for the balance of this week, on account of important business.

House Notification Committee.

A committee from the House here appeared at the bar of the Senate and announced that the House was organized and ready for business.

Permanent Organization Report.

Senator McNealus offered the following:

Senate Chamber,
January 11, 1921.

To the Hon. W. A. Johnson, Lieutenant Governor.

Upon the call of Senator McNealus, Chairman of the last caucus held by the Texas Senate, a caucus was held in the Secretary's office of the Senate, attended by all Senators, except Senators Bailey, McMillin and Suiter, who were absent, and by unanimous vote of those present, other Senators holding their proxies were allowed to cast by proxy the votes of the absent Senators.

The purpose of the caucus was to determine the number and personnel of the Senate officers and Senate employes for the ensuing Regular Session of the Thirty-seventh Legislature. Senator McNealus was elected Chairman of the caucus and Senator Witt was elected Secretary.

The following officers and employes were recommended as officers and employes of the Senate for the Regular Session of the Thirty-seventh Legislature:

Secretary—W. V. Howerton.

Assistant Secretary—Captain A. W. Holt.

Journal Clerk—R. M. Gilmore.

Assistant Journal Clerk—Mrs. Josephine Collins.

Sergeant-at-Arms—E. P. Ross.

First Assistant Sergeant-at-Arms—James A. Kinney.

Second Assistant Sergeant-at-Arms—Morris Midkiff.

Sergeant-at-Arms for the Gallery—Joseph E. Cosgrove.

Doorkeeper—W. H. Brummett.

Assistant Doorkeeper—John Faulk.

Calendar Clerk—Miss Lula Gardner.

Assistant Calendar Clerk—Mrs. Jennie D. Hargis.

Mailing Clerk—Mrs. W. S. Banks.

Assistant Mailing Clerk—Mrs. Lottie Sturdivant.

Senate Librarian—Miss Frances McMinda.

Postmistress—Mrs. Clyde D. Smith.

Chaplain—S. H. Morgan.

Telephone Operator—Miss Mary Jacobs.

It was further recommended that the Chairman of the Enrolling and Engrossing Committees be authorized to employ enrolling and engrossing clerks, and such assistants as necessary, and that their appointments be referred to the Senate for ratification.

It was further recommended that each Senator be permitted to name one stenographer, typist, and that such employe, clerk of each committee of the said Senator may be chairman.

It was further recommended that the President of the Senate have exclusive appointment of such number of pages and porters as in his judgment may be necessary.

It was further recommended that the compensation of officers and employes as above named shall be five dollars per day, except that the Secretary of the Senate and the Journal Clerk shall each receive seven dollars per day; and except further that the pages shall receive two dollars per day and the porters shall receive two dollars per day.

It is further recommended that the Lieutenant Governor be permitted to select a Secretary and an Assistant, Secretary, and a personal messenger.

It was further recommended that the Senators be given such time as they desire to name their personal appointments, and that such appointments be made by handing the name of such appointees to the Secretary of the Senate.

It was further recommended that 2,000 copies of the Daily Journal

be printed and that the same be prorated among the Senators and the Lieutenant Governor.

It was further recommended that the Sergeant-at-Arms rent such typewriters as may be necessary for the use of the employes of the Senate, such rental not to exceed four dollars per month.

It was further recommended that the Lieutenant Governor and each Senator be allowed the stationery and postage needed by him, and be allowed expenses incurred in transmitting and receiving telephone and telegraph messages that may be actually necessary in the discharge of his official duty.

It was further recommended that the Chairman of the Finance Committee be authorized to appoint a clerk to the Finance Committee and a stenographer to the Finance Committee.

It was further recommended that each Senator be permitted to subscribe to five daily papers, to be paid for out of the contingent fund.

McNEALUS,
Chairman.
WITT,
Secretary.

The above was read and adopted.

Bills and Resolutions.

By Senators Dorough and Witt:.

S. B. No. 9, A bill to be entitled "An Act to amend Sections 7c, 8 and 10 of Part 1, of Chapter 103, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Chapter 179 of the General Laws of the State of Texas, passed at the Regular Session of the Third-third Legislature, entitled "An Act relating to employers' liability and providing for the compensation of certain employes and their representatives and beneficiaries, and personal injuries sustained in the course of employment; and death resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof more certain and prompt by the creation of an insurance association to insure and guarantee such payments of an industrial accident board for the investigation of claims

and for the adjudication thereof for consenting parties, fixing the membership and powers for said board, and its compensation and duties, and the method of its appointment, and the term of office of its members, and fixing also the powers, duties and liabilities of said insurance association, and the extent of control over the same to be exercised by the Commissioner of Banking and Insurance, and providing also for the insurance of payments of compensation to employes by certain other insurance companies and organizations, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read the first time and referred to the Committee on Labor.

By Senator Dorough:

S. B. No. 10, A bill to be entitled "An Act to regulate and supervise the sale and purchase in this State of stocks by any person, firm, corporation, joint stock company or any other association of persons organized for profit, which proposes to increase their capital stock; and to regulate and supervise the sale and purchase in this State of stocks of persons, firms, corporation, joint stock companies or other associations of persons, being organized and hereafter organized for profit, and to regulate and supervise the offering or contracting for sale and purchase of such stocks; and to fix commissions and promotions fees allowed to be charged; prohibiting the issuance of permits to do business and the granting of applications to such concerns organized or incorporated under the laws of some other State with the intent and purpose of evading the laws of Texas; providing for the licensing of agents and brokers offering for sale within this State stocks, or shares subject to the operation of this act; and providing for penalties for violations by agents and brokers, requiring the Attorney General to appoint, designate and set apart a competent assistant to advise the Secretary of State and Commissioner of Banking and Insurance in the enforcement of this Act, setting forth his rights, duties and powers in such enforcement, and authorizing the institution of quo warranto, injunction and other suits; and providing for service of process, examination fees, and exempting certain corporations from

the effect of this Act; providing a penalty for the violation of provisions of this Act, and declaring an emergency."

Read the first time and referred to the Committee on Civil Jurisprudence.

By Senator Dorough:

S. B. No. 11, A bill to be entitled "An Act relating to limited partnerships, joint stock companies, unincorporated joint stock associations or companies and common law corporations (so-called); providing that a certified copy of the articles of agreement and all amendments or supplements, as well as dissolutions thereof of all limited partnerships, joint stock companies, now unincorporated stock companies, associations or companies, now organized or that may hereafter be organized in this State, certified to by the president and secretary, with the seal of the said organization affixed, if there be a president and secretary, and said organization has a seal, and if not, then by the general partners thereof, that the same is a true and correct copy of such articles of agreement, amendment, supplement or dissolution, as the case may be, of such partnership, joint stock company or unincorporated joint stock association or company, as entered into and executed by them, to be filed in the office of the Secretary of State, to be by such officer kept for the inspection of all persons interested in such organization; that the Secretary of State cause an indexed record to be kept of such filing; providing the fees to be paid by such organization to the Secretary of State for the filing of such articles, amendments, supplements and dissolutions, and the keeping of such indexed records; providing penalties for the failure of any such limited partnerships, joint stock company or joint stock association or company to so file their said articles of agreement, as well as all amendments or supplements and dissolutions, and declaring an emergency."

Read the first time and referred to the Committee on Criminal Jurisprudence.

By Senators Dorough, Buchanan and Hertzberg:

S. B. No. 12, A bill to be entitled "An Act defining and declaring certain public utilities and virtual

monopolies and subjecting same to the power and jurisdiction of the Railroad Commission of Texas to regulate and to enact rules, regulations, orders, decisions, for the government and conduct of the business of the same, and requiring of said utilities compliance with the same, and safe, sufficient and adequate service; leaving to municipalities certain powers of regulation of utilities, subject to the appellate jurisdiction of the Commission, and the option to refer such regulation to the said Commission; authorizing municipalities to appoint a Commission with certain powers to hear matters affecting utilities; requiring charges of said utilities subject to this Act for their services or commodities to be just, reasonable, non-discriminatory and adequate; and providing for the reimbursement of charges collected in excess of permitted or reasonable charges to persons entitled thereto and for escheat of unclaimed amounts to the State; requiring the filing of reports and schedules, conferring on said Commission the power to prescribe methods of accounts, to value the properties, to require the maintenance of a proper reserve for depreciation and replacement, to determine the rates, charges, returns and practices of said utilities upon application or its own initiative; to require improvements and extensions; to require joint or connected service and to apportion the returns and expenses thereof; prohibiting discrimination in rates, charges, or compensations received by said utilities with certain exceptions; requiring certificates of convenience or necessity or previous approval to be obtained from said Commission in certain cases for the construction, enlargement, purchase, lease, sale, operation or agencies of said utilities and competing utilities; requiring bonds of said utilities in certain cases for the protection of their patrons and the public; providing for public hearing and rehearings and the notice and conduct thereof in all matters before the Commission arising under this Act, and conferring powers on the Commission with relation thereto; authorizing the patrons of a utility to file complaints with a municipality or the Commission; providing for judicial review of acts, orders, decisions of the said Commission and the conduct thereof and of appeals; pro-

viding for the enforcement of the Commission's orders, rules, regulations, and the provisions of this Act by mandamus, injunction, mandatory injunction, and receivership and penalties for the violation of same, and conferring jurisdiction on the District Courts and providing for appeals in such cases; requiring utilities subject to this Act to maintain offices and keep records within certain counties or municipalities; requiring said utilities and their officers, agents and employees to obey the orders of the Commission or Commissioners or municipal authorities, and providing penalties for violation of same and for the enforcement thereof; providing for arbitration of disputes by the Commission; requiring reports of annual income and levying a tax on the gross incomes of said utilities; creating the 'Public Utilities Fund,' and appropriating Fifty Thousand (\$50,000) Dollars till such fund becomes available and sufficient; making appropriations for the salaries of the Commissioners and authorizing the Commission to appoint examiners and to employ a solicitor and other assistants, and directing the State Treasurer to make disbursements for the payment of salaries and expenses approved by the Commission; fixing fees to be collected by the Commission and fees of sheriffs and constables and witnesses, and authorizing process to secure attendance of witnesses and requiring testimony and evidence to be produced; retaining certain powers and emoluments of the Railroad Commissioners under other Acts; providing that a majority of the Commissioners constitute a quorum; repealing Acts inconsistent herewith, and declaring an emergency."

Read the first time and referred to the Committee on State Affairs.

By Senator Dorough:

S. B. No. 13, A bill to be entitled "An Act to amend Section 1 and repealing Section 2 of Part 2 of the Act passed at the Regular Session of the Thirty-fifth Legislature, amending Chapter 179 of the General Laws passed at the Regular Session of the Thirty-third Legislature, known as 'Employers' Liability Act.' and declaring an emergency."

Read the first time and referred to the Committee on Criminal Jurisprudence.

By Senator Dorough:

S. B. No. 14, A bill to be entitled "An Act making it a felony for any ten or more persons to enter into an agreement by which it is sought to make less doubtful the result of any game of baseball or football, foot race or any other game or sport; prescribing penalties for violations hereof, and declaring an emergency."

Read the first time and referred to the Committee on Criminal Jurisprudence.

By Senator Dorough:

S. B. No. 15, A bill to be entitled "An Act amending Section 10 of Chapter 88 of the General Laws of the Thirty-fifth Legislature, entitled 'An Act to provide a more adequate system of laws relating to the irrigation, etc.;" providing that the Reclamation Engineer shall discharge all the duties and powers therein conferred upon the Board of Water Engineers; that he shall hereafter be known as the Water and Reclamation Engineer; that wherever in said Act the Board of Water Engineers is referred to it shall mean the Water and Reclamation Engineer, and declaring an emergency."

Read the first time and referred to the Committee on Irrigation and Drainage.

By Senator Dorough:

S. B. No. 16, A bill to be entitled "An Act to amend Article 1521 of the Revised Civil Statutes of Texas, defining the jurisdiction of the Supreme Court, as amended by the Acts of 1913, Page 107, further limiting the jurisdiction of the Supreme Court, and declaring an emergency."

Read the first time and referred to the Committee on Civil Jurisprudence.

By Senator Dorough:

S. B. No. 17, A bill to be entitled "An Act authorizing the Highway Commission of the State of Texas by and with the consent of the Governor, to purchase the necessary land and machinery needed with which to establish, maintain and operate a cement plant in this State, to operate said plant, when so constructed, for the manufacture of cement and its by-products; providing that the State may work said plant with convict labor and that the products so manufactured at said cement plant may be sold only to the counties, cities

and political subdivisions of such counties, when the same is to be used in the construction and maintenance of the public roads and highways of said counties, cities and political subdivisions thereof, and declaring an emergency."

Read the first time and referred to the Committee on State Affairs.

By Senator Dorrough:

S. B. No. 18, A bill to be entitled "An Act providing that suicide of the insured shall be no defense to any suit brought upon the policies of insurance upon the life of the insured, issued by any life insurance company, fraternal or other organization, corporation, association of persons, firm or partnership unless it shall be shown to the satisfaction of the court or jury trying same, that the insured contemplated suicide at the time he made his application for a policy, and providing that any stipulation to the contrary in the policy or contract or by-laws of any such life insurance company, fraternal or other organization, corporation, association of persons, firm or partnership, shall be void, and declaring an emergency."

Read the first time and referred to the Committee on Insurance and Banking.

By Senator Dorrough:

S. B. No. 19, A bill to be entitled "An Act relating to garages and machine shops, requiring mechanics employed or working therein to pass an examination and secure a license, and granting to the owners and operators of garages and machine shops a lien for labor, materials and parts furnished, and declaring an emergency."

Read the first time and referred to the Committee on Labor.

By Senator Dorrough:

S. B. No. 20, A bill to be entitled "An Act creating a Parole Officer for the State of Texas and conferring upon him the authority of declaring who are meritorious convicts, making and establishing rules and requirements, carrying the same into effect and fixing the salary of said officer, repealing all laws in conflict herewith, and declaring an emergency."

Read the first time and referred to the Committee on Penitentiaries.

By Senator Hertzberg:

S. B. No. 21, A bill to be entitled

"An Act affecting statements, trade names or trade marks appearing in a newspaper or other publication or in the form of a book, notice, hand bill, bill, circular, pamphlet, price tag label, placard, window display or other display or letter or any other printed or written form, relating to merchandise, securities, real estate, lease holds, leases, services or anything real, personal or mixed, offered to the public, and providing penalties for the violation thereof, and declaring an emergency."

Read the first time and referred to the Committee on Criminal Jurisprudence.

By Senators Carlock and Dudley:

S. B. No. 22, A bill to be entitled "An Act to regulate the business of banking in this State when conducted by private individuals, partnerships or association of private individuals or by concerns operating under charters obtained in Texas prior to the adoption of the Constitution of 1876; to require the Commissioner of Insurance and Banking to make periodical examinations and report of the condition of the affairs of such banks; to provide for the publication of such reports; to compel all such banks to submit to such examinations and reports and to pay the expenses of the same; to define what shall constitute violations of this Act and prescribing penalties for the same; to provide for the liquidation for all such banks when insolvent or about to become so; and prescribing the duties of the Attorney General as to taking steps to close up and force the liquidation of such banks in certain contingencies, and to forfeit the banking privileges of the charter of any bank so liquidated; to provide that all private banks shall cease to operate in this State after January 1. A. D. 1922, and prescribing penalties for operating such banks after said date; repealing all laws in conflict herewith, and declaring an emergency."

Read the first time and referred to the Committee on Insurance and Banking.

By Senator Carlock:

S. B. No. 23, A bill to be entitled "An Act to prevent fraud in the sale and disposition of the stocks, bonds or other securities sold or offered for sale within the State of Texas by any corporation, association, person, firm or partnership, company, brok-

er or agent by requiring investigation, examination and licensing the sale of such securities and of the companies, brokers and agents making such sales and placing the administration of this Act in the hands of a Commission hereby created, to be known as the 'Texas Securities Commission,' composed of the Attorney General or one of his assistants, the State Treasurer and the Commissioner of Insurance and Banking, together with an executive officer to be appointed by the Commission; prescribing the powers, duties and compensation of the Commission; defining what shall constitute violations of this Act and fixing the penalties and punishment therefor; making appropriation for the support of the Commission; specifying that this law shall be known as the 'Blue Sky Law of Texas;' repealing all laws in conflict herewith and especially the Act of the First Called Session of the Thirty-third Legislature, Chapter 32 of the Published Laws of said Session, and declaring an emergency."

Read the first time and referred to the Committee on Civil Jurisprudence.

By Senator McNealus:

S. B. No. 24, A bill to be entitled "An Act to amend Article 1428, Title 17, Chapter 18, Penal Code of Texas, relating to obtaining board or lodging or anything of value under false pretenses, drawing or delivering any check, draft or order to defraud; fixing penalty; providing that certain facts shall be prima facie evidence; making the law culminate, and declaring an emergency."

Read the first time and referred to the Committee on Criminal Jurisprudence.

By Senator McNealus:

S. B. No. 25, A bill to be entitled "An Act relating to hotels and boarding houses; protecting them from fraud; limiting their liability, and declaring an emergency."

Read the first time and referred to the Committee on Civil Jurisprudence.

By Senator Dudley:

S. B. No. 26, A bill to be entitled "An Act for the relief of the ad valorem taxpayers owing taxes to the State of Texas and the several counties thereof for the year 1920, and to provide that all such taxes be paid in four quarterly installments instead of in one sum, prior to the

first day of February, 1921; and further providing that if any quarterly installment be not promptly paid, then all such taxes so due for said year of 1920 and still unpaid shall immediately become due and delinquent, and that all laws and remedies now in force or effect in this State shall apply thereto; and further providing that the provisions of this Act shall not apply to other than property taxes, and declaring an emergency."

Read the first time and referred to the Committee on State Affairs.

By Senator Dudley:

S. B. No. 27, A bill to be entitled "An Act to amend Section 1 of Chapter 16, being an Act of the Regular Session of the Thirty-fifth Legislature, 1917, as amended by Chapter 58, being an Act of the Regular Session of the Thirty-fifth Legislature, 1917, relating to the creation of a juvenile board within certain counties of this State and prescribing the duties and powers of such board, including the appointment by it of Probation Officers, and providing for the payment of compensation of such officers, and allowing the said District Judges an additional salary, to be paid out of the General Fund of such county, and declaring an emergency."

Read the first time and referred to the Committee on Civil Jurisprudence.

By Senator Dudley:

S. B. No. 28, A bill to be entitled "An Act to amend Article 5436 of Chapter 9, Title 79, of the Revised Civil Statutes of 1911, of the State of Texas, relating to the sale of public free school and asylum lands, so as to provide for the sale of such lands by the purchaser or any vendee thereof, either in whole tracts or such portions thereof as such purchaser or vendee may desire; and to further provide that the vendee of such lands may be substituted as, and become the purchaser thereof, direct from the State, and that he shall, as to such land, become subject to all of the obligation and penalties imposed by law upon the original purchaser of such land, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

Read the first time and referred to the Committee on Public Lands and Land Office.

By Senator Dudley:

S. B. No. 29, A bill to be entitled "An Act defining live stock commission merchants; requiring such merchants to give bond; providing for the renewal of such bond; the approval and recording of the same; imposing penalties for pursuing the occupation of a live stock commission merchant when bond has not been made or renewed, or when there has been an intentional breach of said bond, or for making materially false statements in the application relative to fixing the amount of the bond; requiring remittances of the proceeds of stock sold by such commission merchant to be made to the parties rightfully entitled thereto within forty-eight hours after such sale has been made, either in certified check or bank exchange unless waived in writing by the parties rightfully entitled thereto and prescribing penalty for favor to so remit; prohibiting the appropriation or use for any purpose by such live stock commission merchant of net proceeds of live stock sold by such live stock commission merchant and prescribing penalty for so appropriating or using; requiring the posting of a certified copy of the bond in some conspicuous place in the office of the principal place of business of said live stock commission merchant and prescribing penalty for failure so to do; providing for suits upon said bond and fixing the venue thereof; repealing all laws in conflict herewith, and especially the Act of the Thirty-third Legislature, Chapter 49, Regular Session, page 93, and declaring an emergency."

Read the first time and referred to Committee on Stock and Stock Raising.

By Senator Woods:

S. B. No. 30, A bill to be entitled "An Act to authorize the formation and incorporation of Co-operative Agricultural or Horticultural Associations instituted for the purpose of mutual help, not having capital stock or conducted for profit providing for the operation and regulation of such Associations; fixing penalties for violation of certain provisions hereof and declaring an emergency."

Read the first time and referred to Committee on Agriculture.

By Senator Page:

S. B. No. 31, A bill to be entitled "An Act amending Articles 3107, 3108, 3140, Title 49, Revised Civil Statutes,

1911; providing that County Executive Committees shall be composed of one man and one woman from each voting or justice precinct in such county; providing for the election of a County Chairman and Vice Chairman of the County Executive Committee, one of whom shall be a man and the other a woman; providing that State conventions shall, among other things, elect a Chairman and a Vice Chairman of the State Executive Committee, one of whom shall be a man and the other a woman, and sixty-two (62) members thereof, one man and one woman from each senatorial district of the State, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator McNealus:

S. B. No. 32, A bill to be entitled "An Act to provide for the organization or admission and the regulation and taxation of incorporated Mutual Insurance Companies other than Life, and declaring an emergency."

Read the first time and referred to Committee on Insurance and Banking.

Temporary Finance Committee Appointed.

Senator Woods moved that, in view of the fact that the Standing Committees had not been appointed, and that there were important measures referred to the Finance Committee, that the Chair appoint a temporary Finance Committee of five members to serve until the regular committees are appointed.

The motion was adopted and the Chair, Lieutenant Governor W. A. Johnson, announced the following committee: Senators Dudley, Chairman; Buchanan, McMillin, Darwin and Woods.

Senate Bill No. 1.

Senator Dudley, Chairman, by unanimous consent, offered the following Committee report:

Senate Chamber,

Austin, Texas, Jan. 12, 1921.

Hon. W. A. Johnson,

President of the Senate.

We, your Temporary Committee on Finance, beg leave to report that we have examined and considered Senate Bill No. 1, and we recommend that it be passed and be not printed.

DUDLEY,

Chairman.

Senator Dudley moved that the Senate rule requiring committee reports to lie over for one day be suspended for the purpose of considering S. B. No. 1.

The motion was adopted.

The committee report that the bill be not printed was adopted.

The chair laid before the Senate, on second reading,

S. B. No. 1, a bill to be entitled an act making an appropriation for the mileage and per diem of the members and per diem of the officers and employes of the regular session of the 37th Legislature of the State of Texas, and declaring an emergency.

The bill was read the second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 1 put on its third reading and final passage by the following vote:

Yeas—27.

Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Wood.
Fairchild.	Woods.
Floyd.	Williams.
Hall.	Witt.
Hertzberg.	

Absent—Excused.

Bailey.	Russell.
Harp.	Suiter.

The bill was read the third time and passed finally by the following vote:

Yeas—27.

Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.

Floyd.
Hall.
Hertzberg.

Wood.
Woods.

Absent—Excused.

Bailey.
Harp.

Russell.
Suiter.

Senate Bill No. 2.

(By Unanimous Consent.)

Senator Dudley offered the following committee report:

Senate Chamber, January 12, 1921.
Hon. W. A. Johnson, President of the Senate.

We, your Temporary Committee on Finance, beg leave to report that we have examined and considered Senate Bill No. 2, and we recommend that it be passed and be not printed.

DUDLEY,
Chairman.

Senator Dudley moved that the Senate rule requiring committee reports to lie over for one day be suspended for the purpose of considering S. B. No. 2.

The motion was adopted.

The committee report that the bill be not printed was adopted.

The Chair laid before the Senate on second reading,

S. B. No. 2, a bill to be entitled an act to make an appropriation to pay the contingent expenses of the regular session of the 37th Legislature, and declaring an emergency.

The bill was read the second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 2 put on its third reading and final passage by the following vote:

Yeas—27

Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent—Excused.

Bailey.	Russell.
Harp.	Suiter.

The bill was read the third time and finally passed by the following vote:

Yeas—27

Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent—Excused.

Bailey.	Russell.
Harp.	Suiter.

Senate Bill No. 3.

(By Unanimous Consent.)

Senator Dudley offered the following committee report:

Senate Chamber,
Austin, Texas, Jan. 12, 1921.

Hon. W. A. Johnson,
President of the Senate.

We, your Temporary Committee on Finance, beg leave to report that we have examined and considered S. B. No. 3, and we recommend that it be passed and be not printed.

DUDLEY, Chairman.

Senator Dudley moved that the Senate rule requiring committee reports to lie over for one day be suspended for the purpose of considering S. B. No. 3.

The motion was adopted.

The committee report that the bill be not printed was adopted.

The Chair laid before the Senate, on second reading,

S. B. No. 3, a bill to be entitled "An Act making appropriation to pay the mileage and per diem for the Presidential Electors of Texas for the year 1921, and declaring an emergency."

The bill was read the second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 3 put on its third reading and final passage by the following vote:

Yeas—27.

Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent—Excused.

Bailey.	Russell.
Harp.	Suiter.

The bill was read the third time and passed finally by the following vote:

Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent—Excused.

Bailey.	Russell.
Harp.	Suiter.

Simple Resolution No. 5.

By Senator Buchanan et al.:

Be it resolved, By the Senate that Mr. M. F. Hornbuckle be employed as Assistant Sergeant-at-Arms for one week, beginning Jan. 11, 1921, and to receive for his services the sum of Five Dollars per day.

Buchanan, Davidson, Hall, Watts, Cousins, Fairchild, Floyd, Dorough, Hertzberg, Parr, A. E. Wood, Woods,

Rogers, Page, Baugh, Lewis, Carlock, Dudley.

Senator Richards offered the following amendment:

Amend Simple Resolution by striking out the name M. F. Hornbuckle and inserting in lieu thereof the name Jim Hall.

The amendment was read, and Senator Buchanan moved to table the amendment.

The motion to table was adopted by the following vote:

Yeas—13.

Baugh.	Lewis.
Buchanan.	Page.
Carlock.	Rogers.
Dudley.	Watts.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Nays—8.

Bledsoe.	McNealus.
Clark.	Murphy.
Darwin.	Richards.
McMillin	Williams.

Present—Not Voting.

Cousins.

Absent.

Dorough.	Parr.
Fairchild.	Witt.

Absent—Excused.

Bailey.	Russell.
Davidson.	Suiter.
Harp.	

Action recurred on the resolution and Senator Bledsoe made the point of order that the resolution was providing for pay for services that had not been rendered relative to pay for the 11th inst.

The Chair overruled the point of order.

The resolution was adopted.

Message From the Governor.

The Chair laid before the Senate the following message from the Governor:

Governor's Office,
Austin, Texas, Jan. 2, 1921.
To the Thirty-seventh Legislature in
Regular Session:

Gentlemen: Not only to put into effect a constructive policy for the ad-

vancement of Texas, but to carry out the direct instructions of the people of Texas given by the most overwhelming majority yet recorded for the submission of a specific subject, I urge the speedy enactment by both Houses of the Legislature of a joint resolution amending the Constitution so as to permit the State to lend its credit for the purpose of aiding the homeless to acquire homes and the landless to acquire land.

This policy is not new in Texas. In fact, it is a principle in vogue from the beginning of our statehood. It only takes a different form under this amendment from that which has been in vogue heretofore. The public lands of Texas were at first given away to home owners, and later on were sold to home owners or actual settlers on the basis of a longer time and at an even lower rate of interest than would be possible for persons to acquire homes under the system which will be established if this amendment is enacted. Having been disposed of, the public lands of the State cannot be used to bring about home ownership, but the credit of the State may be used for such a purpose and that is the object to be gained under this amendment.

In my campaign for Governor in 1918, I promised the people of Texas that an effort would be made under my administration to provide homes for the homeless and lands for the landless, and to bring relief to the tenants and renters of the State. This promise was later written into the platform of the Democratic Party adopted at the State Convention. In keeping with this promise, a joint resolution proposing to amend the Constitution was adopted by the Thirty-sixth Legislature, and submitted to a vote of the people on May 24, 1919. The amendment on the face of the returns was defeated,—one county where the vote was not properly returned being omitted, and the majority against the amendment was only 787 votes in an election where more than 300,000 persons voted.

In 1920 I caused petitions to be circulated and presented them in person to the State Democratic Executive Committee at the meeting in Fort Worth, requesting that committee to place upon the ballot the subject of submitting again this amendment to the Constitution. The Committee granted the request and the subject was placed upon the ballot.

Accordingly, the vote was as follows:

For submitting Home Owner-
ship Amendment.....134,455
Against submitting Home
Ownership Amendment.... 74,535

Therefore, not only because the merits of this measure call for favorable action, but because the people have in unmistakable terms called for its resubmission, I urge that it be speedily disposed of at your hands. I believe this amendment should be submitted on the fourth Saturday in July, 1922, when the primaries are held, or on the first or second Tuesday in November, 1922, when the general election is held.

Experience has proven that a larger vote of the people is recorded on either of these days than on the day of a special election. And believing that the wider the expression of the people's will on this question the more emphatic will be the expression in its favor, and believing too, that it involves a policy portending so much good to the State it should, in my judgment, be determined by a decision on the part of the largest number.

The adoption of this amendment to the Constitution is desirable for a twofold reason: First, it will help the citizen who might otherwise be unable to do so to acquire a home; second, it will help the State when such a citizen acquires a home. The welfare of the citizen is involved in becoming a home owner, since thereby he becomes the possessor of more of this world's goods, and that portion of this world's goods which gives to the individual the greatest satisfaction. The welfare of the State is involved in causing citizens to become home owners since it is well established that when the citizens become intrinsically interested in the soil it makes for a State that is better and safer and it promotes the security not only of those who have acquired homes through State aid, but of those who have acquired homes without the aid of the State.

It is not proposed to allow the use of money out of the general funds of the State to help people acquire homes nor to ever impose any tax whatever for that purpose. It is not intended that land selling or colonization schemes will result from this amendment. It is proposed to amend the Constitution so there will be constitutional authority for the State to establish a system of rural credits under such laws and regulations as the

Legislature may pass for the purpose of enabling those who are landless to buy land and those who are homeless to buy homes with a small payment down and on long time and at a low rate of interest. The only appropriation of State funds contemplated under this system is an amount sufficient to begin its operation. The liens against the land or the home, given by the purchasers, will furnish a nucleus for mortgages or bonds issued upon the State's credit, which will develop into a revolving fund similar to that existing under other systems of rural credit, while the interest paid by the purchasers will meet the interest on the bonds or mortgages issued and pay the expenses of operation. When bonds or mortgages are issued and sold under this plan from time to time it will constitute a continuing source of funds for extending that financial aid which is the object to be attained under this system and which will assist persons to acquire homes.

The benefits of this system will not only be applied to farmers and tenants who live in the country, but also to those who live in towns and cities. No better service can be performed by the State than to find a way for the tenant who cultivates the soil to become the owner of the soil which he cultivates wherever he may select to do so, and to find a way for the renter of a home to become the owner of a home wherever he may select.

If this amendment is put into practical operation this laudable purpose will be possible of accomplishment. Rural credit systems have been established by States and by nations and have proven successful in their operation and far-reaching in their benevolent results. Texas is great enough, resourceful enough and capable in every respect of constituting the foundation for a well-directed system of rural credits which will bring about home ownership and prove a forward step in solving the problem of the tenant and the renter.

I trust and believe such will be the end if favorable action is taken by your honorable body.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, Jan. 11, 1921.
To the Thirty-seventh Legislature in
Regular Session.
The financial condition in which the

State is found as my term of office expires makes it an inexpressible pleasure to conform to the duty assigned to the Chief Executive, under Section 9 of Article 4 of the Constitution, with respect to accounting for all public moneys received and paid out. In a former message I have briefly outlined the condition of the Treasury in some respects as it is shown in the Biennial Report of the Treasurer. I have shown that there remained at the close of this fiscal year to the credit of the General Revenue Account, \$8,840,758.79; the highest in the history of the State. The balance to this account on January 1, just past, was \$4,917,220.84, which is the largest balance left to the credit of that account. When the State Automatic Tax Board met to fix the ad valorem tax rate for the current year they found an unexpended and an unappropriated balance of \$5,336,275. By taking this balance into consideration when the ad valorem tax rate was determined, the Board found that the tax rate could be reduced from 35 cents to 22 cents. In addition to the balance above referred to the Board found an increase in the taxable values of the State in the sum of \$167,052,707 over that of last year, making a total valuation for this year of \$3,367,347,912. The total of the taxes charged on the State Tax Rolls for 1920 is \$21,816,598, which is a decrease of \$3,102,688 from the amount shown on the rolls last year.

The excellent condition in which the Treasury is found is reflected in the above figures and is made more noticeable when it is taken into consideration that the Thirty-sixth Legislature appropriated more than \$10,000,000 for the various educational requirements of the State. The bonded debt of the State is reflected in the table attached hereto and marked Exhibit "A," as furnished me by the State Treasurer.

The First Called Session of the Thirty-fifth Legislature appropriated the sum of \$3,000 for the Kings Highway Fund, which appropriation was made subject to the order of the Governor. As revealed in my message of January 14, 1919, to the Thirty-sixth Legislature, I received from my predecessor, to be administered under the terms of the law, an additional sum of \$1,546.85, which was further supplemented by the Daughters of the American Revolution in the sum of \$113.15. The funds received other than the

\$3,000 appropriated by the Legislature were deposited in the Citizens Bank and Trust Company, Austin, Texas, which account has, in accordance with the Act of the Legislature, been expended. A statement of this fund is attached hereto, marked Exhibit "B." I refer you again to my message to the Thirty-sixth Legislature of January 14, 1919, with respect to the Drought Relief Fund raised by voluntary subscription. I outlined in that message the method followed in raising the fund and gave a detailed description of the purpose for which it was to be used as well as the course pursued in the distribution.

At a meeting of the Drought Relief Committee, which Committee was appointed by me to supervise the distribution of the fund held in my office on December 15, 1920, it was determined to donate the balance of this fund on hand to the Soldiers' Tubercular Hospital at Kerrville, Texas. I am attaching hereto, marked Exhibits "C" and "D," respectively, a copy of the minutes of that meeting, together with a copy of the statement of the fund as of January 1, 1921.

I am transmitting herewith, marked Exhibit "E," a statement of all of the expenditures made by me as Governor from the appropriations made available to the Executive Department, mansion and grounds, subject to my order. The vouchers covering these expenditures are on file in the Office of the Comptroller and are available to any one interested.

I invite the attention of the Legislature to the increased duties of the Executive Office during my term, which increase will approximate 200 per cent. This increase in the business of the Executive Department is attributable to several reasons. You will recall that I assumed my duties at the beginning of the greatest of all wars, which necessarily added additional burdens to the office. A National Guard organization was raised and the Drought Relief Act was administered through my office, all of which enormously increased the clerical work as well as the work of the Executive officer himself. During the war this office was constantly besieged with requests from loyal Americans to aid and assist them in procuring commissions and enlistments in the service of their country. A very large majority of those in the service during the war left useful pursuits and attractive opportunities to do so; conse-

quently, with the termination of hostilities, these same loyal Americans who requested the assistance of this Department to get into the service, besieged and flooded me with requests to render assistance in procuring their release. So with the ending of the war the increase in the volume of work with which the Department was confronted was further increased for the above reason.

I am glad to inform you, however, that the work in the Department is gradually decreasing and that within the course of a few months will probably reach a normal condition.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

EXHIBIT "A".

Bonded debt of the State of Texas on September 1, 1920:

Refunding 3 per cent bonds issued by Act of the Thirty-first Legislature to refund frontier defense bonds due September 1, 1910, and outstanding bonds for deficiency in revenue, issued April 21, 1879, due July 1, 1909; new bonds dated September 1, 1910, due 40 years, option to redeem after 20 years.....	\$1,148,700
For retiring past due bonds, Act May 2, 1893, due May 2, 1933, interest 4 per cent	334,500
For retiring all 7 per cent frontier defense bonds of August 5, 1870, held by individuals, Act April 5, 1889, sold to special funds, due January 15, 1921.....	201,000
Refunding bonds issued September 1, 1915, Act Thirty-fourth Legislature, refund bonds issued September 1, 1910, 5 per cent interest..	209,000
Revenue Deficiency Bond, issued February 10, 1915, Act of 1889, due 40 years, interest 5 per cent.....	22,000
For retiring past due bonds, Act May 2, 1893, due option of State, interest 5 per cent	152,000
Refunding bonds issued 1904, Act April 30, 1903, dated January 1, 1904, due January 1, 1944, interest 3 per cent	288,000

Refunding bonds, issued 1906, Act April 17, 1905, dated July 1, 1906, due July 1, 1946, interest 3 per cent	1,647,000
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Total bonded debt outstanding September 1, 1920....\$4,002,200

EXHIBIT "B".

Statement furnished by Comptroller as of January 1, 1920, Y-925, markings for King's Highway:

Appropriation	\$3000
October, 1917, V. N. Zively.....	360
March 1918, A. L. Gooch.....	1000
March, 1918, A. L. Gooch.....	600
April, 1918, A. L. Gooch.....	560
April, 1918, A. L. Gooch.....	300
May, 1919, A. L. Gooch.....	180
	<u>\$3000</u>

EXHIBIT "C".

Statement furnished by Citizens Bank & Trust Company as of January 3, 1920.

W. P. Hobby, Acting Governor, Trustee, King's Highway Fund, in account with Citizens Bank & Trust Company, Austin, Texas:

August 25, 1917, deposits.....	\$1546.85
June 17, 1918, deposits.....	113.15
	<u>\$1660.00</u>
November 3, 1920, canceled checks returned	\$1660.00

EXHIBIT "C".

Minutes of the Drouth Relief Committee Meeting.

Whereas, the Committee called upon the subscribers of the Drouth Relief Fund suggesting that the money on hand be donated to the Soldiers' Tubercular Hospital at Kerrville, Texas, and ninety-nine per cent (99%) of the subscribers replying to the communications have expressed their assent that the suggested donation be made.

Therefore, be it resolved by the Committee, that the fund now on hand and so much as may hereafter be repaid into the fund be so donated.

Motion was made and seconded that the Governor appoint a committee of three to consult with the committee having the building of the hospital in charge. The following compose the committee: Governor W. P. Hobby, Chairman; A. C. Goethe, T. H. Franklin.

Motion was made and seconded that D. E. Waggoner of Dallas be appointed to succeed Senator F. C. Weinert as Administrator and Treasurer of the Drouth Relief Fund.

Motion was made and seconded that resolution of thanks be sent to Senator F. C. Weinert for his efficient services. The following resolution was adopted:

"Be it resolved, That the thanks of the Committee be extended to Senator F. C. Weinert for his very careful, diligent and effective handling of the fund as Treasurer and Administrator of the Drouth Relief Fund."

Those attending the meeting were: A. C. Goethe, D. E. Waggoner, Thomas H. Franklin, J. E. Lucy, W. P. Hobby.

Those represented by proxies were: Tom Finty, Jr., P. L. Downs.

Above motions and resolutions were all adopted by unanimous vote, Wednesday, December 15, 1920.

Signed

A. C. GOETHE,
D. E. WAGGONER,
THOMAS H. FRANKLIN,
J. E. LUCY,
W. P. HOBBY.

EXHIBIT "D".

Statement showing condition of Drouth Relief Fund, January 1, 1921:

Amount Contributed	\$277,506.55
Amount Allotted	273,106.13
Amount Not Loaned.....	4,400.42
Amount Collected	38,667.11
Amount Cash in Banks....	43,067.53
Amount Notes on Hand....	234,439.02

Amount Received\$277,506.55

EXHIBIT "E".

Expenditures of the Executive Department and Mansion and Grounds, from January 1, 1919, to December 31, 1919, inclusive:

A & B Payment of Rewards, Telegraphs, Telephones and other expenses	\$ 6,864.92
A & B Books and Stationery	585.28
A & B Salary of the Governor	4,000.00
A & B Salary of Private Secretary	2,750.00
A & B Salary of Assistant Private Secretary	1,800.00
A & B Salary of Three Stenographers	4,500.00
A & B Salary of Porter.....	1,200.00
A & B Repairs of Governor's Office	623.40

A & B Freight and Postage..	400.00
A & B Traveling Expenses of Governor	694.28
A & B Ice	36.00
A & B Contingent Expenses	37.03
A & B Pay Lieutenant Governor for acting as Governor	398.40

Mansion and Grounds.

A & B Expenses Governor's Mansion	2,492.42
A & B Repairs, Improvements and Labor	1,160.00
A & B Fuel, Lights, etc.....	1,444.87
	<u>\$28,986.60</u>

Expenditures of the Executive Department and Mansion and Grounds, from January 1, 1920, to December 31, 1920, inclusive:

B & C Payment of Rewards, Telegraph, Telephone and other Expenses	\$16,106.56
B & C Books and Stationery	876.67
B & C Salary of Governor...	4,000.00
B & C Salary of Private Secretary	2,750.00
B & C Salary of Assistant Private Secretary	1,800.00
B & C Salary of Three Stenographers	4,500.00
B & C Salary of Porter.....	1,200.00
B & C Traveling Expenses of Governor	263.91
B & C Ice	29.90
B & C Freight and Postage..	800.00
B & C Contingent Expenses	86.45

Mansion and Grounds.

B & C Expenses Governor's Mansion	3,312.81
B & C Repairs, Improvements, Labor and Employes	1,484.96
B & C Fuel, Lights and Water, etc.	1,845.75
	<u>\$39,057.01</u>

Message From the House.

Hall of the House of Representatives, Austin, Texas, Jan. 12, 1921.

Lieutenant Governor W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted:

H. C. R. No. 1, Providing for a joint

committee to count the vote for Governor and Lieutenant Governor.

Respectfully submitted,

NOEL K. BROWN,

Chief Clerk, House of Representatives.

The resolution was referred to the Committee on State Affairs.

Appointment of Pages.

I hereby name the following to act as Pages of the Regular Session of the Thirty-seventh Senate:

Joe Erwin, Hugh Jewett, Oliver Hyslop, Marvin Turner, William Dunn, Thomas Johnson, Newman Marshall, Fred Battle, Trenton Smith, Charley Lockhart, Maurice Hopkins, Tom Stanford, Albert Carlson.

PRESIDENT SENATE.

Appointment of Porters.

I hereby appoint the following Porters to serve for the Regular Session of the Thirty-seventh Senate:

Jack Blocker, head porter; Henry Green, Jasper Tune, Sam Grant, Monroe Williams, Max Blocker, Buck Green, James Lee, Arthur Evans, Ben Thompson, Lonnie Maderis.

PRESIDENT SENATE.

Engrossing Committee Appointed.

Senator Dudley moved that an Engrossing Committee be appointed.

The motion was adopted.

The following committee was appointed: Senators Harp, Floyd and Dorrough.

Adjournment.

On motion of Senator Woods, the Senate, at 11:45 a. m., adjourned until 10 o'clock tomorrow morning.

THIRD DAY.

Senate Chamber,
Austin, Texas,

Thursday, Jan. 13, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum be-

ing present, the following Senators answering to their names.

Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Parr.
Cousins.	Rogers.
Darwin.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.
Hertzberg.	Woods.

Absent.

Dorough.	Richards.
Page.	

Absent—Excused.

Bailey.	Harp.
Davidson.	Russell.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Oath of Office Administered to Mr. Hornbuckle.

The Chair here administered the constitutional oath of office to Mr. Hornbuckle, Assistant Sergeant-at-Arms.

Excused.

On motion of Senator Wood, Senator Witt was excused for the balance of this week.

On motion of Senator Fairchild, Senators Dorrough and Richards were excused for the balance of this week.

Message from the House.

Hall of the House of Representatives,

Austin, Texas, Jan. 13, 1921.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted S. C. R. No. 1, providing for a joint committee to count the vote for Governor and Lieutenant Governor, with an amendment.

Respectfully submitted,

NOEL K. BROWN,

Chief Clerk,

House of Representatives.